IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SECOND DAY OF SEPTEMBER
TWO THOUSAND AND FOUR
PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 17013 of 2004

Between:

1 N.V.M.B.S.Prasad, E-322610 S/o.Sobhanadri CB
R/o.Autonagar, Vijayawada, Krishna District.
2 Ch.Papa Rao, E-511253, S/o.Venkayya
R/o.Autonagar, Vijayawada, Krishna District.
3 Y.Sridhar E 255679 S/o.Y.M.Rao
R/o.Autonagar, Vijayawada, Krishna District.
4 Sk.Makbul, E-305252 S/o.Kasim
R/o.Autonagar, Vijayawada, Krishna District.
5 E.V.D.Rao, E-454683 S/o.Purnachandra Rao
R/o.Autonagar, Vijayawada, Krishna District.
6 Smt.Ch.Vijayalakshmi, e.105297 W/o.A.V.Ramanjaneyulu
R/o.Autonagar, Vijayawada, Krishna District.
7 M.Raja Rao, E-290208, S/o.Venkatramaiah
R/o.Autonagar, Vijayawada, Krishna District.
8 S.Venkata Rao, E-376184, S/o.Achiah
R/o.Autonagar, Vijayawada, Krishna District.
9 N.S.Narayana, E-360893 S/o.Venkateswara Rao
R/o.Autonagar, Vijayawada, Krishna District.
10 S.Prasad, E-455403 S/o.Nageswara Rao
R/o.Autonagar, Vijayawada, Krishna District.
11 K.Chenna Kesava Naidu, E-457865 S/o.Narsimha Rao
R/o.Autonagar, Vijayawada, Krishna District.

..... PETITIONERS

AND

1 The APSRTC rep by its Managing Director, Musheerabad, Hyderabad.
2 The APSRTC rep by its Regional Manager Krishna Region, Vijayawada.

3 The APSRTC rep by its Depot Manager Gannavaram Depot, Krishna District.
4 The APSRTC rep by its Depot Manager Vijayawada City Depot, Autonagar, Vijayawada Krishna Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents herein in not granting the selection grade scale stagnation increments to the petitioners on completion of 12 years service is illegal, unjust and arbitrary, contrary to the circular instructions and consequently set aside the same directing the respondents herein to add the stagnation increment to all the petitioners on completion of 12 years service and to pay the arrears from the date of entitlement in the interest of justice and to pass.

Counsel for the Petitioners: MR.S.M.SUBHAN

Counsel for the Respondents: MR.R.MANMADHA REDDY (SC FOR APSRTC)

The Court at the admission stage made the following :

ORDER;

The petitioners are working as drivers and conductors in the respondent-corporation. They contend that they have been working since more than 12 years and they were not granted any stagnation increments after completion of 12 years of service. The petitioners further submit that as per the Circular of the Corporation No. PD113/89, dated 03.06.1989, the employees of the Corporation those who have completed 12 years of service are entitled to get the stagnation increments. A similar question came up for consideration before this Court in W.P.No.5726 of 2000, which was the subject matter in W.A.No.1301 of 2001, wherein a Division Bench of this Court held that the employees who have completed more than 12 years of service are entitled for stagnation increments and accordingly, directed the Corporation to consider the cases of the writ petitioners therein to grant 12 years stagnation increments.

In the light of the circumstances explained by the petitioners, and in the light of the judgment of a Division Bench of this Court in W.A.No.1301 of 2001, the respondents are directed to verify whether the petitioners completed 12 years of continuous service and consider the representations of the petitioners regarding the release of the stagnation increments and pass appropriate orders according to the rules and regulations.

Accordingly, the Writ petition is disposed of. No order as to costs.

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Dr. G.YETHIRAJULU,J

22nd September, 2004

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Copy to:

1. The Managing Director, A.P.S.R.T.C.
   Musheerabad, Hyderabad.
2. The Regional Manager, APSRTC
   Krishna Region, Vijayawada.
3. The Depot Manager, APSRTC.
   Gannavaram depot, Krishna District.
4. The Depot Manager, APSRTC,
   Vijayawada City Depot, Autonagar
   Viojayawada, Krishna District.
5. Two C.D.Copies